

WMA Stakeholder Meeting

January 21, 2021

1- 3 pm

ZOOM

Agenda

Item 1: Welcome and Introductions

Item 2: 2021 Registration Renewal

Item 3: Massachusetts Drought Management Plan

Item 4: WMA Permit Renewals

a. Permit Renewal Schedule

b. Permit Renewal Status Update

Item 5: Next Steps

Welcome and Introductions

- MassDEP Staff
 - Stephanie Cooper, Deputy Commissioner- Policy & Planning
 - Kathy Baskin, Assistant Commissioner-BWR
 - Lealdon Langley, Director- Division of Watershed Management
 - Duane LeVangie, Chief-WMA Program
- EOEEA Staff
 - Vandana Rao, Director of Water Policy
- Department of Conservation and Recreation
 - Anne Carroll, Director of Water Resources

WMA Advisory Committee

- MGL 21G (3) identifies role:
 - Provide advice and consultation
 - Review development of standards, rules and regulations & provide recommendations on water management and laws regulating them
 - Shall consist of at least 11 members appointed by the Governor
 - Specific interests are named as representatives of the committee

WMA Stakeholders

- 11 Members (**bold names**) shall represent:
 - **AIM** (Sheree Gaus)
 - **RPA** (Martin Pillsbury)
 - **MMA** (Ariela Lovett)
 - **Watershed Organization** (Ian Cooke)
 - **Water Works** (Eric Hooper)
 - **Agricultural Association** (Brian Wick)
 - **Environmental Organization** (Julia Blatt)
 - **Well Driller Assoc.** (Roger Skillings)
 - **Consumer Organization** (TBD)
 - **2 Public Members** (Wayne Castonguay & Jennifer Pederson)

Drought Presentation

2021 Registration Renewal

Registration Renewals

- WMA (M.G.L. c. 21G, Section 5) states:
 - *“the registrant shall be entitled, upon the filing of a renewal registration statement, to continue existing withdrawals specified in the registration statement for a period of ten years.”*
- **Renewal requests** are filed 6 months prior to the Registration Statement expiration date on forms provided by DEP
- **Registration Statements**
 - will expire on December 31, 2021
 - cannot exceed 10 years

Draft Schedule for Registration Renewals

- January & February 2021 Convene Advisory/Stakeholder group
- April 2021 - MassDEP mails Renewal Request forms (also available on website), giving them 90 days to file forms and:
 - File overdue Annual Reports
 - Pay overdue Annual Compliance Fees
- Early June 2021 – MassDEP sends a renewal reminder notice to all Registrants
- **June 30, 2021** – Last day for Registrants to file Renewal Request forms
- Fall 2021 – Prepare and issue Registration Renewals

Registration History

- Minimum Registration Conditions (at 310 CMR 36.07) applied to original Registration Statements (1988) are:
 - meter all withdrawals
 - calibrate meters
 - maintain records and report withdrawal data
- Most recent Registration Renewals (2007) included conservation performance standards (65/10) and summer demand management
 - These conditions were appealed to MA SJC
- MA SJC decision in Fairhaven, et al v. DEP, 455 Mass. 740 (2010), required MassDEP to promulgate regulations before including new conditions in registration renewals
- 2017 Permit Extension Act extended the registrations by 4 years

Registration Renewal Proposal

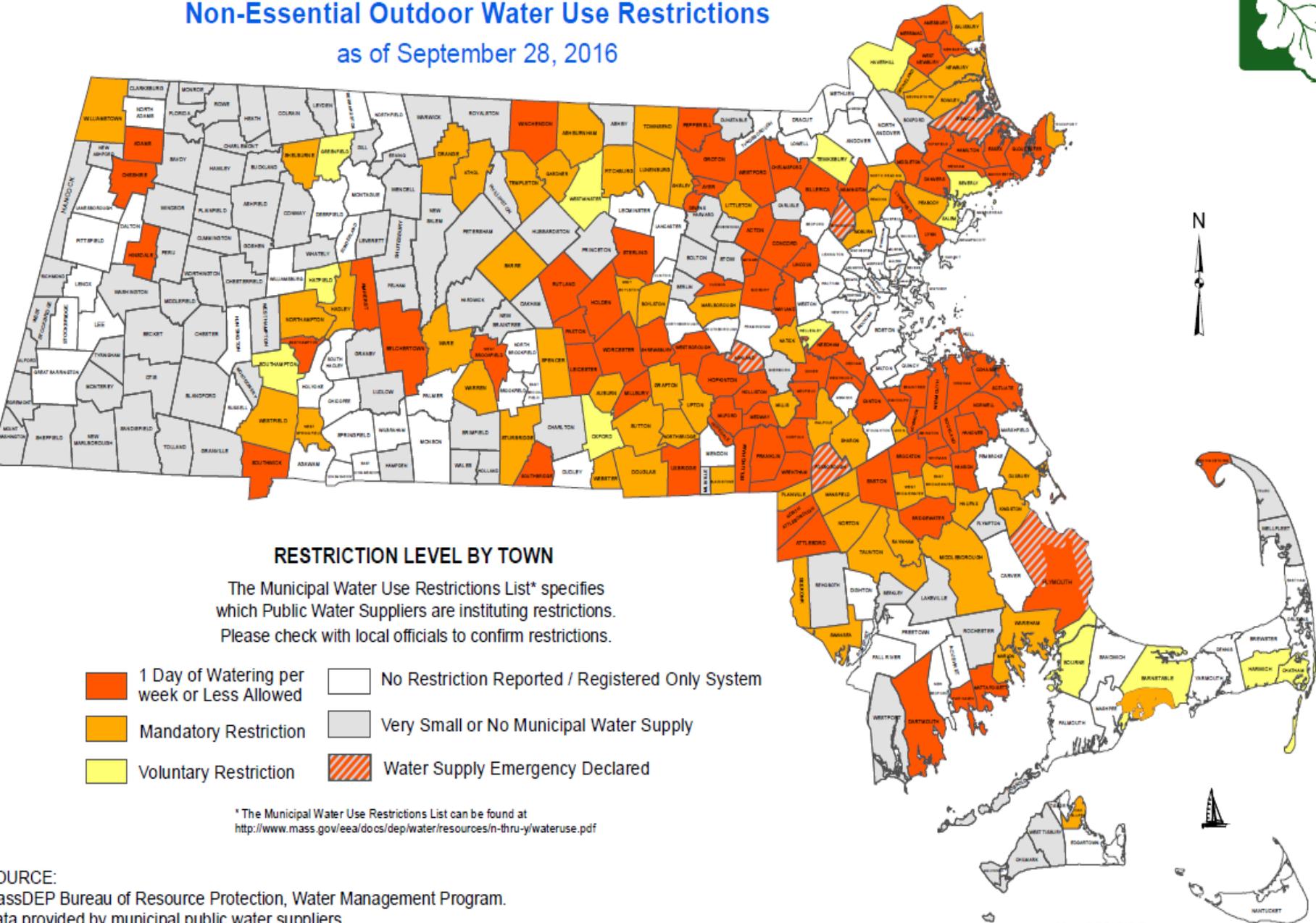
- During drought- condition nonessential water use
 - Align registrations with Drought Management Plan using drought status

State Drought Plan	Nonessential Outdoor Water-Use Restrictions
Level 1-Mild	1 day per week watering, before 9 a.m. or after 5 p.m.
Level 2-Significant	Hand-held hoses or watering cans only, before 9 a.m. or after 5 p.m.
Level 3-Critical	Ban on all nonessential outdoor water use
Level 4- Emergency	Ban on all nonessential outdoor water use

CURRENT MUNICIPAL WATER USE RESTRICTIONS

Non-Essential Outdoor Water Use Restrictions

as of September 28, 2016



RESTRICTION LEVEL BY TOWN

The Municipal Water Use Restrictions List* specifies which Public Water Suppliers are instituting restrictions. Please check with local officials to confirm restrictions.

- | | |
|---|---|
|  1 Day of Watering per week or Less Allowed |  No Restriction Reported / Registered Only System |
|  Mandatory Restriction |  Very Small or No Municipal Water Supply |
|  Voluntary Restriction |  Water Supply Emergency Declared |

* The Municipal Water Use Restrictions List can be found at <http://www.mass.gov/eea/docs/dep/water/resources/n-thru-y/wateruse.pdf>

SOURCE:
MassDEP Bureau of Resource Protection, Water Management Program.
Data provided by municipal public water suppliers.
For more information contact MassDEP Water Management Program at 617-292-5706.

Permits: Requirements & Guidance

WMA Permit Conditions:

Groundwater (GW) suppliers in groundwater-depleted subbasins

- Below average streamflow
 - 2 days per week/ rgpcd at or below 65*
 - 1 day per week / rgpcd above 65*

Surface water (SW) suppliers without DEP-approved drought plan

- Below average streamflow
 - 7 days per week/ rpgcd at or below 65*
 - 2 day per week/ rgpcd above 65*

GW & SW (without DEP approved plan) requirements during Drought

- 7-Day Low Flow streamflow value
 - 1 day per week*

Note: Cape and Island requirements are based on GW and Drought Triggers

State Drought Plan Guidance on Nonessential Outdoor Water-Use Restrictions

Level 1 (Mild)	1 day per week watering*
Level 2 (Significant)	Hand-held hoses or watering cans only*
Level 3 (Critical)	Ban on all nonessential outdoor water use
Level 4 (Emergency)	Ban on all nonessential outdoor water use

* Before 9 a.m. or after 5 p.m.

Special Case: Surface Water Supplier- Drought Management Plan (DMP)

PWS with:

- Primarily (90%+) surface water sources &
- DEP-approved DMP that includes restrictions based on system storage, operational concerns **and** environmental considerations*

... may implement restrictions consistent with their plan rather than State Drought Plan restrictions.

*may include downstream releases, restrictions that include streamflow thresholds as a criteria, or can cease pumping from wells during drought through use of alternative source(s).

87 Registered
 vs.
 62 permitted

Golf Conditions

Golf Courses would be required to implement Seasonal Demand Management Plan with graduated reductions in nonessential irrigation based on drought levels and streamflow/groundwater triggers.

Irrigation can be reduced either by reducing irrigation times, or by irrigating fewer acres
Watering allowed up to designated percent

MA Drought Level	Tees & Greens	Fairways	Roughs	Landscape & Ornamentals
Normal	100% Essential Use	100%	100%	100%
Level 1 (Mild) or WMA Permit Trigger		80%†	50%†	Courses whose core business includes a special event venue may continue to irrigate gardens, flowers and ornamental plants by means of hand-held hose or drip irrigation
Level 2 (Significant)		60%†	0%	
Level 3 (Critical)		40%†		
Level 4 (Emergency) **	TBD	0%		0%

† Irrigation use shall not occur between the hours of 9 a.m. and 5 p.m., except that hand-watering of hot spots may occur at any time

** Additional actions to be determined by the Governor’s Emergency Proclamation.

MA Drought Management Plan

Drought Indices

Index Severity Level	Percentiles for: Precipitation, Streamflow, Lakes and Impoundments and Groundwater
0	>30th percentile
1	≤30 and >20
2	≤20 and >10
3	≤10 and >2
4	≤2

Drought Status vs 7-Day Low-Flow

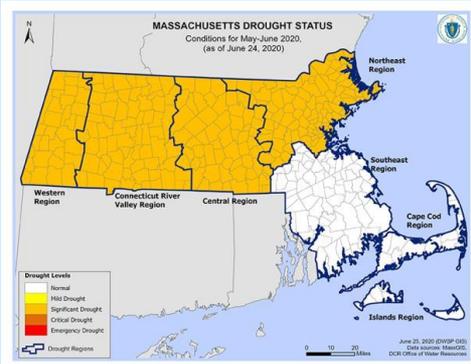
Level 1-Mild Drought

1 day per week watering

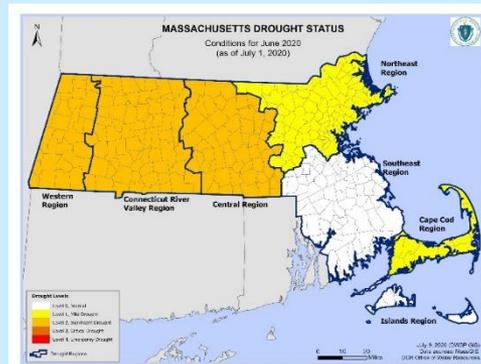
Level 2-Significant Drought

Hand-held hoses or watering cans only

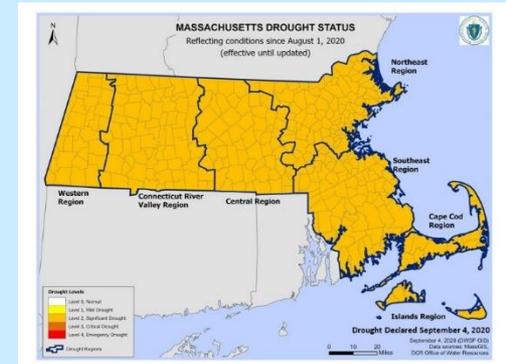
June 24, 2020



July 9, 2020



Aug. 12 & Sept. 4, 2020

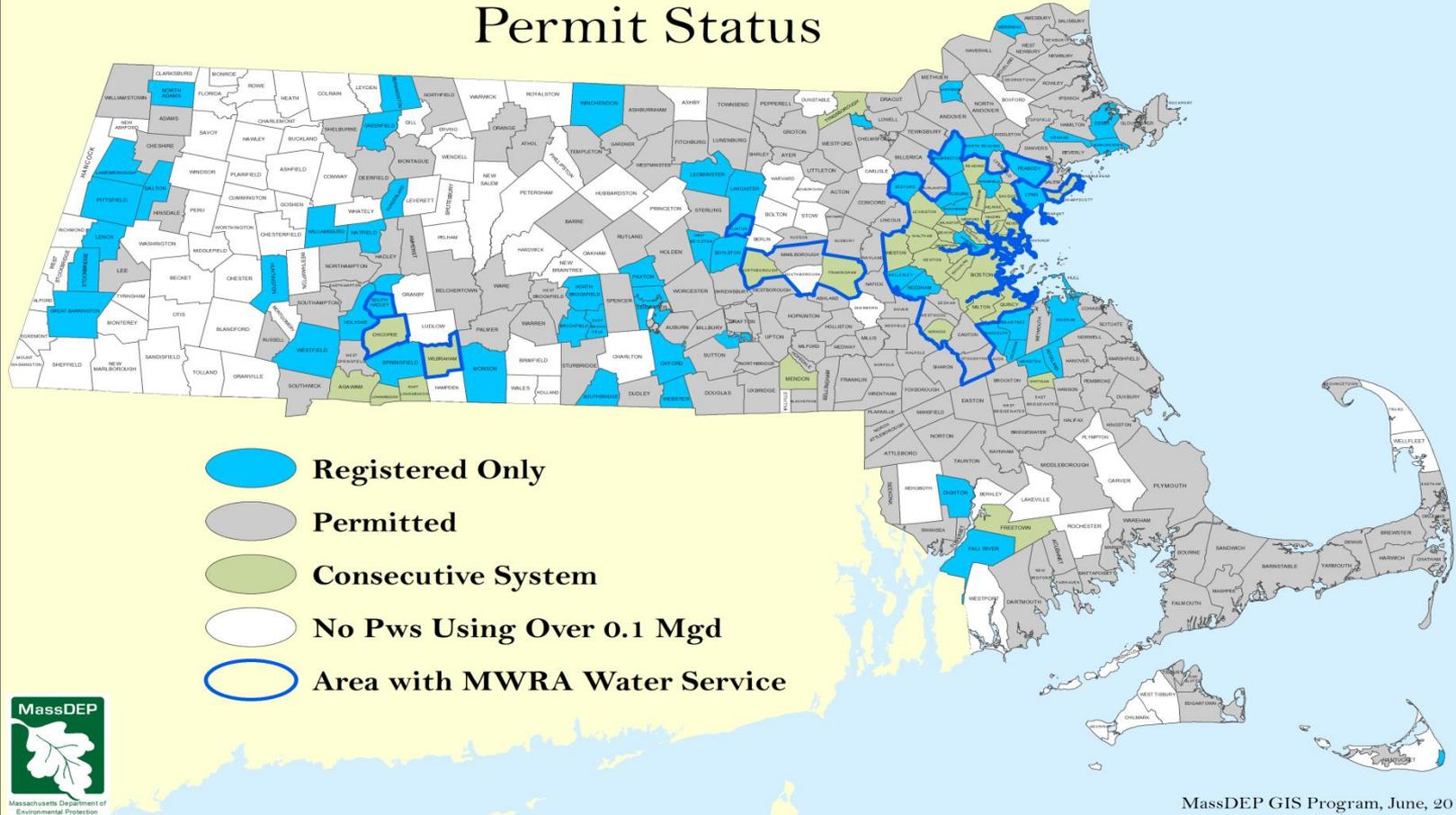


7 DAY LOW FLOW TRIGGER 2017 - 2020

1st time trigger hit for 3 consecutive days each year = 1 day per week watering

Basin	2017	2018	2019	2020
Concord River (Lowell)	8/29			8/12
Indian Head River (Hanover)	8/17	8/3		7/28
Mill River (Northampton)	9/20		8/28	8/13
State Drought Declared	NO	NO	NO	YES

WMA Registration and Permit Status



-  **Registered Only**
-  **Permitted**
-  **Consecutive System**
-  **No Pws Using Over 0.1 Mgd**
-  **Area with MWRA Water Service**



MassDEP GIS Program, June, 2019

Number of Registrations (based on August 2020 Permit Status)

Western Region	Central Region	Northeast Region	Southeast Region
22 + MWRA	16 + MWRA	18	6

Draft Schedule for Registration Renewals (and Regulation Change Steps)

- **January & February 2021 Convene Advisory/Stakeholder group**
- **March and April 2021**
 - Internal development and review
 - Initial presentation to WRC/draft regulations released for comment/hearings
 - **Distribute Registration Renewal Request forms**
- **April – June 2021**
 - Public comment and Public hearing Process
 - Prepare responses to public comment/re-draft regs
 - **June 1, 2021 – MassDEP sends a renewal reminder notice to all Registrants**
 - **June 30, 2021 – Last day for Registrants to file Renewal Request forms**
- **July – Aug. 2021**
 - Prepare response to comments and final internal approvals
 - WRC approval
- **Sept.- Oct. 2021 - Promulgate final regulations**
- **Nov. – Dec. 2021 – Prepare and issue Registration Renewals**

Questions and Comments